

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MONTANA
MISSOULA DIVISION

UNITED STATES OF AMERICA,

Plaintiff,

vs.

SCOTT MICHAEL GEORGE
DANIELS,

Defendant.

CR 20-46-M-DLC

ORDER

Before the Court is the United States' Unopposed Motion for Final Order of Forfeiture. (Doc. 46.) Having reviewed said motion, the Court finds:

1. The United States commenced this action pursuant to 18 U.S.C. § 924(d) and 21 U.S.C. §§ 853(a)(1) and (2) and 881.
2. A Preliminary Order of Forfeiture was entered on February 5, 2021. (Doc. 31.)
3. All known interested parties were provided an opportunity to respond and publication has been effected as required by 21 U.S.C. § 853(n)(1). (Doc. 38.)
4. Benjamin Cary filed a claim for the Russian Mosin Nagat 762x54 Rifle, SN M41166 on March 8, 2021. The United States agrees that Mr. Cary's petition should be granted and the Russian Mosin Nagat 762x54 Rifle, SN M41166 should be returned to him.

5. It appears there is cause to issue a forfeiture order under 18 U.S.C. § 924(d) and 21 U.S.C. §§ 853(a)(1) and (2) and 881.

Accordingly, IT IS ORDERED that:

1. The motion (Doc. 46) is GRANTED.
2. Judgment of forfeiture of the following property shall enter in favor of the United States pursuant to 18 U.S.C. § 924(d) and 21 U.S.C. §§ 853(a)(1) and (2) and 881, free from the claims of any other party, the following property:
 - HS Produkt imported by Springfield Armory, Model XD9, 9mm pistol, SN GM745605
 - Winchester Model 72 .22 caliber Rifle, no SN visible
 - Bul Transmark Desert Eagle 1911G .45 caliber Pistol, SN G020934
 - DPMS Panther Arms Model A-15 .223 caliber rifle, SN FH15857
 - Russian Mosin Nagat 762x54 Rifle, SN M41166
 - Benelli Arms 12 Gauge shotgun, SN Z395033
 - Ruger Model 10-22 Carbine, .22 LR caliber rifle, SN 115-76864
 - Romarm/Cugir (Romania) GP/WASR-10/63 7.62x39 caliber rifle, SN 1971
 - Krial, imported by Tri Star NKC MO, KRX 12 Gauge Shotgun, SN KRX002152
 - ABA Body Armor

3. Pursuant to the petition filed by Benjamin Cary on March 8, 2021 and agreement by the government, the United States is directed to return the Russian Mosin Nagat 762x54 Rifle, SN M41166 to Mr. Cary.

4. The United States shall have full and legal title to the forfeited property and may dispose of it in accordance with law.

DATED this 26th day of May, 2021.



Dana L. Christensen, District Judge
United States District Court